

DETAILED ACTION

Allowable Subject Matter

This Notice of Allowance is in response to the Decision by the Board on 9/29/2008.

Claims 1-4 and 7-9 are allowed.

Examiner's Statement of Reason's for Allowance

The following is an examiner's statement of reasons for allowance.

This Notice of Allowance is in response to the Decision by the BPAI on 9/29/2008.

Prior art was found by Examiner James Myhre, Chen in view of Capek in view of Wachob, which disclosed many of the features of the Applicant's claims.

However, the Board found that the prior art did not render obvious all the Applicant's features of the independent claims. The BPAI did not find that the combination of the prior art rendered obvious the features for a method and system for replacing a plurality of broadcast radio commercial streams on an Internet radio program broadcast by a radio station to an Internet hosting service with a plurality of replacement radio commercial streams, as claimed.

Hence, the Board did not find that Chen in view of Capek in view of Wachob supported a 35 USC 103 rejection of the Appellant's claims.

Hence, the Board stated that the prior art cited does not render obvious the combination of the specific features stated above.

Any comments considered necessary by applicant must be submitted no later

than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arthur Duran whose telephone number is (571)272-6718. The examiner can normally be reached on Mon- Fri, 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on (571) 272-6724. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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10/8/2008